19~~4~~9. **File No.** Adm/49

Legal **DEPARTMENT**

~~B~~ C **BRANCH**

K

Subject.— Correspondence relating to— Administration (General)

A
315

P.45
C.

File No. Adm/49

Std. Sectt. Slip 24 B c.

639-C

C O N T E N T S.

Local Government.

Volume Adm 40.

No.	Compilation No.	Subject.	Pages.
	Adm/40		
1.	~~Adm/40-510,6-2 (1)~~ ~~10-1-40~~ and Adm/40-1-40	Endorsement from C.O. asking the Administration not to	1-12 ~~1-11~~ Not typed
2.	~~Adm/40~~ ~~22-11-39~~ and Adm/40 ~~20-12-39~~	Procedure for the adjustment of transactions existing between the Dominion India and Burma with effect from 1st July 1937.	13-43 ~~13-43~~ 13-44 Not typed

Legal Department.

Submitted,

Please see the P.S.O. endorsement at page 1 ante. The following officers are under the administrative control of this Department.

1) The Advocate General, Bombay.

2) The Solicitors to Government.

3) The Public Prosecutor for Bombay and A.P.P.

4. The Government Pleader, High Court, Bombay.

5) The Government Pleader, in the City Civil Court Bombay.

6) The District Government Pleaders and Public Prosecutors and their Assistants.

The Legal proper is constituted of of five Branches namely, A, B, C, D and E. Recently the Department has been strengthened and re-organised. The Opinion or 'A' Branch is to be split up into two submeads, each to be in charge of a Deputy Secretary. One Deputy Secretary will be in charge of Criminal work and the work of the enforcement Branch of the C.I.D. He will also be required to attend to Opinion cases including Criminal matters and the interpretation of criminal Statutes. The other Deputy Secretary will be entrusted to all Opinion matters on the Civil side.

The Legislation or the 'B' Branch has at its head a Draftsman of the status of the Additional Secretary and one D.S. and two Assistant Secretaries subordinate to him. The Draftsman is in full charge of the Legislatio

Branch and has to deal with legislation - Principal and Subordinate. The Legislation Branch has also to deal with the work connected with the Legislatures such as elections etc. The work connected with Legislatures and the minor work of subordinate legislation such as revision of notifications, reprints of rate etc., and questions of constitutional opinions are to be disposed of by the Deputy Secretary. Cases relating to constitutional opinions have to be submitted to the Hon'ble Minister. Out of the two Assistant Secretaries one is entrusted exclusively with the drafting of principal legislation and has to work under the direct supervision of the draftsmen. The other Assistant Secretary is principally concerned with the revision of rules under the supervision of the draftsmen. But he is also required to supervise the work of reprints, local rules and orders etc., and submit the same to the Hon'ble Minister.

The work of 'C' and 'D' Branches is of an administrative nature and is directly under the supervision of an Assistant Secretary. This Assistant Secretary has to deal with the work such as disposal of post and distribution of work and questions relating to leave establishment etc. None of the Law Branches has anything to do with the public.

'E' Branch or Solicitors' Branch is entrusted with all Government litigation work in Courts and Special Tribunals. The Solicitors Branch will be assisted by an Additional Solicitor and two Assistant Solicitors. The actual

conduct of litigation in the Small Causes Court has been entrusted to a Government Advocate and he has been allowed fees on Small Cause Court scale, irrespective of the result of the cases or whether the costs are recovered from the other side or not.

The Advocate General, Bombay, has to advise Government upon legal matters and perform such other duties as are assigned to him by Government. He is given a salary of Rs. 1600/- per month plus an office allowance of Rs. 600/- per month in addition to such fees as prescribed in the Law Officers' Conditions of Service Rules. The duties of the Advocate General are laid down in Chapter II of the Law Officers' Rules.

The Government Solicitors are given a remuneration of Rs. 600/- per month and are also allowed all costs from unsuccessful parties in cases in which Government wholly or partially succeeds and all out of pocket expenses costs. The duties of the Solicitors are laid down in Chapter IV of the Law Officers' Rules.

The Public Prosecutor for Bombay is also given a salary of Rs. 600/- per month plus office allowance. He is also allowed fees as laid down in Rule 13A of the Law Officers' Conditions of Service Rules. His duties are enumerated in Chapter IV of the L.O. Rules.

The duties of the Government Pleader, High Court, are prescribed in Chapter V of

the L.C. Rules. He is given a salary of Rs. 450/- p.m. ~~[illegible]~~ besides fees as prescribed in the L.C. conditions of Service Rules.

Recently an appointment of a Government Pleader in the City Civil Court has been made. He is to attend to all government work in the City Civil Court. He is also to deal with the pauper applications of the City of Bombay.

The duties of the District Government Pleaders and Public Prosecutors and their Assistants are laid down in Chapter VI of the L.C. Rules. Their appointments, leave, salary, etc., are governed by the L.C. Conditions of Service Rules.

If approved, the P. & G.A. may be informed on the above lines.

Id/- R.A.S.
1-11.

S.S. Id/- S.S.
1-11.

A.S. (M.P.)

Id/- B.D.Pandit
1-11.

Secretary, We are late. I think as usual. Please send a short note under Mr. Choudhari's signature to-day. Govt. advocate in Small Causes Court - to be included.

Id/- P.M.L.
7/11.

LAM/14-6.

4 6.

7

Submitted with ref. to J.M.-s's note on

p. 6 ante.

The Govt. Advocate in the Jaffna cases at Tab

has now been included in para 2 of the draft

letter.

Para 6 of the draft letter has been revised

as far per oral instructions of the Hon'ble

The letter was then checked again hand for

[illegible]

AG/[illegible]
6/11.

IG/[illegible]
6/11

AG/ [illegible]
6/11

[illegible]

Id/[illegible]

AGA/16-3.
4 Gc.

No.12730
Legal Department,
Bombay Castle, (Bombay No.1, 11th November 1919.

MEMORANDUM.

The undersigned presents compliments to the Chief Secretary to the Government of Bombay, Political and Services Department, and with reference to that Department Endorsement No. 6nd/4o-Disld-B, dated the 26th October 1919, is directed to state as follows:-

2. The following officers are under the administrative control of this Department.

1, The Advocate General, Bombay.

2, The Solicitors to Government, Messrs. Mitter & Co.,

3, The Public Prosecutor for Bombay and Assistant Public Prosecutors.

4, The Government Pleader, High Court, Bombay.

5, The Government Pleader, in the City Civil Court, Bombay.

6, The District Government Pleaders and Public Prosecutors and their Assistants.

7, The Government Advocate in the Small Cause Court, Bombay.

3. The Legal Department proper is constituted of five branches namely A, B, C, D and E. Recently the Department has been strengthened and reorganized. The opinion or 'A' branch is to be split up into two sub-heads, each to be in charge of a Deputy Secretary. One Deputy Secretary will be in charge of Criminal work and the work of the Enforcement Branch of the Judge. He will also be required to attend to Opinion cases including Criminal matters and the interpretation of Criminal Statutes. The other Deputy Secretary will be entrusted with all Opinion matters on the Civil side.

4. The Legislation or 'B' branch has at its head a gentleman of the status of the Additional Secretary and one Deputy Secretary subordinate to him

the draftsman is in full charge of the legislation branch and has to deal with legislation - Principal and Subordinate. The legislation branch has also to deal with the work connected with the legislatures and re elections etc. The work connected with the legislatures and the minor work of subordinate legislation such as revision of notifications, reprints of Acts etc., and questions of constitutional opinions are to be disposed of by the deputy secretary, cases relating to constitutional opinions have to be submitted to the Hon'ble Chief of the two Assistant Secretaries who is entrusted exclusively with the drafting of Principal legislation and has to work under the direct supervision of the draftsman. The other Assistant Secretary is principally concerned with the revision of rules under the supervision of the draftsman. But he is also required to supervise the work of reprints, local rules and orders etc., and submit the same to the Hon'ble

5. The work of 'C' and 'D' branches is of an subordinate nature and is directly under the supervision of the Assistant Secretary. The Assistant Secretary has to deal with the work such as disposal of post and contribution or work allocations relating to leave establishment etc. None of the two branches has anything to do with the public.

6. The 'B' or Solicitor's branch is entrusted with all Government litigation (including charity litigation, in the High Court, City Civil Court, Small Causes Court and Mofussil Courts and before special tribunals like Revenue Tribunal, Sales Tax Tribunal, Industrial Tribunal etc. and matters connected therewith. The branch has also to attend to (1, all conveyancing work arising in the city of Bombay and outside, references connected

therewith and all cases relating to stamp references (2) references under the Charitable Endowments Act (3) Grant-in-aid cases (4) Cases relating to examination of title of Government servants for house building advances and (5) notices of suits. The Solicitors' Branch will be manned by two Solicitors and two Assistant Solicitors. The actual conduct of litigation in the Small Causes Court has been entrusted to a Government Advocate and he has been allowed fees on Small Causes Court scale, irrespective of the result of the cases or whether the costs are recovered from the other side or not and in other respects his appointment is subject to the conditions of service laid down in the Bombay Law Officers (conditions of service) Rules.

7. The Advocate General, Bombay, has to advise Government upon legal matters and perform such other duties as are assigned to him by Government. He is given a salary of Rs. 1600/- per month plus an office allowance of Rs. 500/- per month in addition to such fees as prescribed in the Law Officers' (conditions and service) Rules. The duties of the Advocate General are laid down in Chapter II of the Law Officers' Rules.

8. The Government Solicitors (Messrs. Little and Co.) are given a remuneration of Rs. 500/- per month and are also allowed all costs from unsuccessful parties in cases in which Government wholly or partially succeeds and all out of pocket costs. The duties of the Solicitors are laid down in Chapter IV of the Law Officers' Rules.

11. Recently an appointment of a Government Pleader in the City Civil Court has been made. He is to attend to all Government work in the City Civil Court. He is also to deal with the pauper applications of the City of Bombay. He is allowed only taxed fees and in other respects the appointment is subject to the conditions of service laid down in the Bombay Law Officers (Conditions of service) Rules.

12. The duties of the District Government Pleaders and Public Prosecutors and their Assistants are laid down in Chapter VI of the Law Officers Rules. Their appointments, leave, salary etc., are governed by the Law Officers (Conditions of Service) Rules.

By order of the Governor of Bombay,

Id/- S.L.C.
1.7/11
Assistant Secretary to Government.

To

The Chief Secretary to the Government of Bombay,
Political and Services Department.

EAR/15-5.
4 c.

Legal Department
N.I. No.19399
25-11-49.

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Submitted for information.

2. No transactions, between the Dominions of Indi
and they ~~x~~ Pakistan with effect from 1-7-48, are pending
in the Legal Department & hence no action is necessary
in this ~~Ministry~~ department.

File in Adm/49.

Id/-G.V.D.
25-11

We may inform the P.D.,
cs at A.

S.O. Id/-V.D.
26/11

Id/-A.D.
26/11

KAN/15-6.
4 c.